

Order

Michigan Supreme Court
Lansing, Michigan

June 30, 2020

Bridget M. McCormack,
Chief Justice

156803

David F. Viviano,
Chief Justice Pro Tem

SPECIAL TREE REHABILITATION SYSTEM,
Plaintiff-Appellant,

Stephen J. Markman
Brian K. Zahra
Richard H. Bernstein
Elizabeth T. Clement
Megan K. Cavanagh,
Justices

v

SC: 156803
COA: 333502
Oakland CC: 2015-148223-NF

FRANKENMUTH MUTUAL INSURANCE
COMPANY,
Defendant-Appellee.

By order of July 27, 2018, the application for leave to appeal the October 10, 2017 judgment of the Court of Appeals was held in abeyance pending the decisions in *WA Foote Mem Hosp v Mich Assigned Claims Plan* (Docket No. 156622) and *Dye v Esurance Property & Casualty Ins Co* (Docket No. 155784). On order of the Court, *WA Foote Mem Hosp* having been decided on October 25, 2019, 504 Mich 985 (2019), and *Dye v Esurance Property & Casualty Ins Co* having been decided on July 11, 2019, 504 Mich 167 (2019), the application is again considered. It appearing to this Court that the cases of *Pearce v Eaton Co Rd Comm* (Docket No. 158069) and *Brugger v Midland Co Bd of Rd Comm's* (Docket No. 158304) are pending on appeal before this Court and that the decisions in those cases may resolve an issue raised in the present application for leave to appeal, we ORDER that the application be held in ABEYANCE pending the decisions in those cases.

CAVANAGH, J., did not participate due to her prior relationship with Garan Lucow Miller, P.C.



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I, Larry S. Royster, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

June 30, 2020

Clerk